

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RECIO et al.,

Plaintiffs,

22 Civ. No. 6153 (RA) (GS)

-against-

ORDER

D'ALMONTE ENTERPRISES
PARKING GARAGE, INC., et al.,

Defendants.

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GARY STEIN, United States Magistrate Judge:

This Order summarizes the rulings made by the Court arising from the telephone conference held on February 26, 2024 in relation to the parties' discovery disputes raised in their Joint Status Report dated February 14, 2024 (Dkt. No. 81 ("Joint Status Report")) and certain other discovery issues raised during the conference.

1. Defendants are **ORDERED** to complete their production of documents reflecting which individuals have been authorized to conduct transactions for the Chase Bank account belonging to Defendant IB Parking Lot, Inc. ("IB Parking") in accordance with the Court's February 12, 2024 Order (Dkt. No. 80 at 1–2). To the extent these documents are not currently in the possession of IB Parking, Defendants must take reasonable steps to retrieve copies of the same from Chase Bank.

2. Defendants are **ORDERED** to produce documents reflecting which individuals have been authorized to conduct transactions for the Chase Bank account belonging to Defendant 119 Parking Lot Corporation ("119 Parking") identified on page two of the Joint Status Report. This production shall include, but is not limited to, account opening documents as well as documents

showing any changes in the authorized signatories on the account. To the extent these documents are not currently in the possession of 119 Parking, Defendants must take reasonable steps to retrieve copies of the same from Chase Bank.

3. Defendants are **ORDERED** to produce lease agreements for each of the corporate Defendants during the relevant period reflecting who signed the lease agreement on behalf of the corporate Defendant. Any confidential or proprietary information contained in the lease agreements may be redacted.

4. Defendants' counsel shall confirm whether the following documents (to the extent not already produced) are within Defendants' possession, custody, or control and either produce such documents or provide an appropriate written representation to Plaintiffs' counsel that such documents do not exist:

- a. Schedule K-1s that are responsive to Plaintiffs' Request No. 4 on page four of the Joint Status Report; and
- b. Paystubs and/or wage withholding and deduction documents that are responsive to Plaintiffs' Request No. 5 on page one of the Joint Status Report.

5. Counsel for Defendants shall inform Plaintiffs' counsel by no later than Friday, March 1, 2024 whether they represent nonparty witness Jose Gomez for purposes of responding to the document subpoena served on Mr. Gomez. If counsel for Defendants do not inform Plaintiffs' counsel by that date that they do represent Mr. Gomez, Plaintiffs' counsel are free to communicate directly with Mr. Gomez with respect to the subpoena.

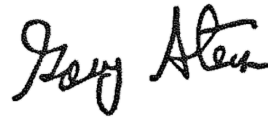
6. Plaintiffs' request for quarterly payroll tax returns, as set forth in Request No. 2 on page four of the Joint Status Report, is **DENIED**.

7. Plaintiff Dario Almonte's request for reconsideration of the Court's February 12, 2024 Order with respect to his account at Chase Bank (Dkt. No. 80 at 1) is **DENIED**.

7. The deadline for fact discovery is extended from February 29, 2024 (Dkt. No. 80) to **Friday, March 15, 2024**. The deadline for dispositive pre-trial motions or a motion for class certification is extended from March 4, 2024 (Dkt. No. 75) to **Monday, April 15, 2024**.

SO ORDERED.

DATED: New York, New York
February 28, 2024

A handwritten signature in black ink, appearing to read "Gary Stein", is written above a horizontal line.

The Honorable Gary Stein
United States Magistrate Judge